IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.MC.No. 1145 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.569/2007 Dated 06/02/2007
CRIME NO. 546/06 OF HOSDRUG POLICE STATION

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PETITIONER: 1ST ACCUSED

PRAKASHAN, AGED 33 YEARS, S/O. KASTHURI,
PADMALAYAM, THOYAMMAL, KANHANGAD,
KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING S.H.O.,
HOSDURG POLICE STATION.

BY PUBLIC PROSECUTOR SRI. M.S. BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 1145 of 2007

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Dated this the 10th day of April, 2007

O R D E R

The petitioner has come to this Court to lift the conditions imposed on him as per order dt. 6.2.2007 when he was granted anticipatory bail for a period of one month by this Court. He faces indictment in a prosecution for offences punishable, inter alia, under Section 498A r/w. 34 I.P.C.

2. The order of anticipatory bail made it clear that it shall remain in force for a period of one month and in the mean time the petitioner must appear before the learned Magistrate. He did appear, it is submitted. Did the Magistrate impose any conditions? If so, what are the conditions? Was the Magistrate moved by the petitioner for modification of such conditions, if any, imposed? No satisfactory answers are forthcoming to these queries. The order of anticipatory bail can have force only till 6.3.2007. Thereafter it is the conditions imposed by the Magistrate, if any, which will hold the field. It is for the petitioner, if any such conditions have been imposed by the learned Magistrate while granting regular bail, to

move the learned Magistrate for deletion of such conditions. The conditions imposed as per Annex.A1 order need not be complied with by the petitioner now, if the Magistrate had not imposed any such conditions.

This Crl.M.C. is accordingly dismissed with the above observations.

(R. BASANT)
Judge

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